

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco Division

SECURITIES AND EXCHANGE
COMMISSION,

No. C 12-80087 CRB (LB)

Applicant,

v.

**NOTICE OF REFERRAL AND
ORDER RE DISCOVERY
PROCEDURES**

WELLS FARGO & COMPANY,

Respondent.

TO ALL PARTIES AND COUNSEL OF RECORD:

The district court has referred Applicant Securities and Exchange Commission's (the "Commission") application for an order compelling compliance with administrative subpoenas, electronically filed on March 23, 2012, which is a discovery matter (notwithstanding the Commission's statement otherwise, *see* Application, ECF No. 1 at 2), to United States Magistrate Judge Laurel Beeler. Referral Order, ECF No. 5.¹ The Commission requested oral argument, but no hearing has been set.

The Court **DENIES** the pending discovery motion without prejudice and directs the parties to comply with the procedures for addressing discovery disputes set forth in Judge Beeler's standing order (attached). Those procedures require, among other things, that if a meet-and-confer by other means does not resolve the parties' dispute, lead counsel for the parties must meet and confer **in person**. If that procedure does not resolve the disagreement, the parties must file a joint letter brief

¹ Citations are to the Electronic Case File ("ECF") with pin cites to the electronic page number at the top of the document, not the pages at the bottom.

1 instead of a formal motion. The letter brief must be filed under the Civil Events category of
2 “Motions and Related Filings > Motions – General > Discovery Letter Brief.” After reviewing the
3 joint letter, the Court will evaluate whether further proceedings are necessary, including any further
4 briefing or argument.

5 **IT IS SO ORDERED.**

6 Dated: March 29, 2012



LAUREL BEELER
United States Magistrate Judge